

SIKKIM



GOVERNMENT

GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

Gangtok

Monday 12th February, 2018

No. 53

GOVERNMENT OF SIKKIM
ENERGY & POWER DEPARTMENT
GANGTOK

NO :101/EI/2016-17/42

DATED:- 03/02/2018

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 162 and clause (o) of sub-section (2) of section 180 of the Electricity Act, 2003, (36 of 2003), the State Government hereby makes the following rules for Qualifications, Powers and Functions of Chief Electrical Inspector and Electrical Inspectors, namely :-

- 1. Short title and Commencement** -
 - (1) These rules may be called the Sikkim Chief Electrical Inspector and Electrical Inspector(Qualifications, Powers and Functions) Rules, 2017.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions** -
 - (1) In these rules, unless the context otherwise requires, -
 - (a) "Act" means the Electricity Act, 2003;
 - (b) "Appellate Authority" means an appellate authority as specified in rule 14 of these rules.
 - (c) "Inspector" means a Chief Electrical Inspector or Electrical Inspector as the case may be.
 - (d) "Section" means section of the Act.
 - (e) "State Government" means the Government of Sikkim.
 - (2) Words and expression used and not defined in these rules but defined in the Electricity Act, 2003 (36 of 2003), shall have the meanings respectively assigned to them in that Act.
- 3 Applicability of rules** - These rules shall apply to the whole of State of Sikkim in respect of any electrical work or electrical installations other than the works and installations belonging to or under the control of the Central Government.

- 4. Qualification for - Chief Electrical Inspector**
- (1) No person shall be appointed to be a Chief Electrical Inspector unless -
 - (i) he/she possesses a degree in electrical engineering or its equivalent from a recognized University or Institution;
 - (ii) he/she should be serving as a Superintending Engineer or above in the State Government and should have been regularly engaged at least for a period of 20 (twenty) years in the practice of electrical engineering of which not less than two years have been spent in the field of Generation or Transmission or Distribution of electricity or in the administration of the Act and rules thereunder, in a position of responsibility.
 - (2) The person appointed as Chief Electrical Inspector shall undergo such training as the State Government may consider it necessary for the purpose.
- 5. Qualification For Electrical Inspectors**
- (1) No person shall be appointed to be an Electrical Inspectors unless,
 - (i) he/she possesses a degree in Electrical Engineering or its equivalent from a recognized University or Institution;
 - (ii) he/she should be serving as a Executive Engineer or above post in the State Government and should have been regularly engaged at least for a period of 5 (five) years in the practice of electrical engineering of which not less than one year has been spent in the field of Generation or Transmission or Distribution of electricity or in the administration of the Act and rules thereunder, in a position of responsibility.
 - (2) The person appointed as an Electrical Inspector shall undergo such training as the State Government may consider it necessary for the purpose.
- 6. Powers of the Chief Electrical Inspector and Electrical Inspector.**
- The Chief Electrical Inspector and the Electrical Inspector shall have powers to inspect all the electrical works and electrical installations in the area in respect of which, such Chief Electrical Inspector/ Electrical Inspector have been directed by the State Government to exercise his powers and perform functions under sub-section (1) of the section 162 of the Act and the procedure provided in the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulation, 2010.
- 7. Duties and responsibilities of the Chief Electrical Inspector**
- (1) The Chief Electrical Inspector shall administer and oversee the duties and functions as assigned to the Electrical Inspector and shall also perform such other duties and functions as may be assigned by the State Government from time to time.
 - (2) The Chief Electrical Inspector shall also function as the "Designated Authority" for administration and monitoring of Electrical Contractor and Electrical Supervisor and also issue Certificate of Competency and Electrical work permit.

- 8. Duties and Responsibilities of the Electrical Inspector.** - The Electrical Inspector shall function under the control of the Chief Electrical Inspector and shall assist the Chief Electrical Inspector to perform the duties and functions as prescribed under these rules and such other duties and functions as may be assigned to him by Chief Electrical Inspector from time to time.
- 9. Powers of entry and inspection** -
- (1) The Chief Electrical Inspector or the Electrical Inspector shall have powers to inspect the works and electrical installations in the area in respect of which, such an Inspector has been directed by the State Government to exercise the powers and perform functions under sub-section (1) of the Section 162 of the Act.
 - (2) The Inspector may enter, inspect and examine any place, carriage or vessel in which he has reason to believe that there is any appliance or apparatus used in the generation, transmission, transformation, conversion, distribution or use of energy and may carry out tests therein.
 - (3) Every supplier, consumer, owner and occupier shall afford all reasonable facilities to any such Inspector to make such examinations and tests as may be necessary to satisfy himself as to the due observance of the safety of human or animal life.
 - (4) An Inspector may require a supplier of the electricity to submit to him a list of all persons supplied with energy by him, the addresses at which such energy is supplied, the month of connecting services, the voltage of supply, the connected load and the purpose of supply, and the name of the Contractor carrying out the installation work and the supplier shall comply with such requisitions.
 - (5) Every licensee and every owner of a generating station shall, if required so to do by an Inspector, provide reasonable means for carrying out all tests, specified under the Act or regulations there under, of the appliances or apparatus used for the supply or use of energy by him, as the case may be.
 - (6) Chief Electrical Inspector or an Electrical Inspector may serve an order of such inspection to any licensee, consumer, owner or occupier, calling upon him to comply with any specified regulation in Form 'A' and the person so served shall thereupon comply with the order within the period specified therein, and shall report in writing to the Inspector serving the order mentioning therein as to whom the order has been complied with.
- Provided that, if within the period specified in the aforesaid order, an appeal is filed against the order by the person on whom such order has been served, the appellate authority may suspend its operation pending the decision of the appeal.
- 10. Approval by Electrical Inspector & Self Certification.** -
- (1) Every licensee, supplier or owner shall take approval of Electrical Inspector before energizing any new electrical installations or reconnection after shutdown for Six months and above as per Regulation 43 of the Central Electricity Authority (Measures

relating to Safety and Electric Supply) Regulations, 2010, as amended from time to time. The voltage level and capacity for inspection and testing of electrical installations by Electrical Inspectors shall be of voltage exceeding 415 V and capacity of 500 KVA and above.

- (2) Electrical installations up to 500 KVA and voltage below 415 V shall be inspected, tested and shall be self-certified by the supplier/owner of the installation before commencement of the supply or recommencement after shut down for six months and above for ensuring observance of safety measures and such owner shall submit the report of self-certification to the Electrical Inspector.
- (3) Every licensee, supplier or owner shall take approval of Electrical Inspector before energizing generating station or generating unit (including generating unit producing electricity from renewable sources of energy) of 100 KVA capacity and above as per Regulation 32 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010, as amended from time to time. The generating units having capacity below 100 KVA shall be self-certified by the owner and such owner shall submit the report of self-certification to the Electrical Inspector.

11. Periodical Inspection by Electrical Inspector.

- Electrical Installations of 500 KVA and above and voltage exceeding 415 V already connected to the supply system of the supplier or trader shall be periodically inspected and tested at intervals not exceeding 5(five) years, by the Electrical Inspector. Electrical installations below 500 kVA and voltage upto 415 V shall be periodically inspected, tested at intervals not exceeding 5 (five) years by the supplier or the owner of the installations and such owner shall submit the report of self-certification to the Electrical Inspector.

12. Function under - Electricity Act 2003.

- (1) The Electrical inspectors shall inquire and report to the Government as to the cause of any electrical accident occurred in connection with the generation, transmission, distribution, supply or use of electricity and the manner and extent to which the statutory provisions have been violated as required under sub-section (2) of section 161 of the Electricity Act.
- (2) Notice of occurrence of any such accidents shall be intimated to the Electrical Inspector within 24 (twenty four) hours in Form - A1.
- (3) Electrical Inspector shall exercise all powers as prescribed under sub section (3) of section 161 of the Act.

13. Fees of Inspection and other services.

- (1) The fee for testing and inspection generally for the services of Inspectors or any other officer appointed to assist him shall be such as may be notified by the State Government, from time to time.

- (2) Fee for every inspection under the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010 shall be payable by the owner of the installation in advance and in the event of failure of payment of fee the electric supply to the installation shall be liable to be disconnected by the licensee under the direction of the Inspector.

14. Appeals.

- (1) An appeal against an order served under these rules shall lie- If the order is served by an Electrical Inspector, to the Chief Electrical Inspector and if the order is served by a Chief Electrical Inspector, to the State Government.
- (2) Every appeal made under sub-rule (1) shall be in writing and shall be accompanied by a copy of the order appealed against and shall be presented within 3 (three) months of the date on which such order has been served or delivered, as the case may be.
- (3) An appeal shall be disposed off within 90 (ninety) days from the date of receipt of the appeal.

15. Submission of Records.

- An Inspector may require a supplier or an owner to submit to him for examining any records of tests made in connection with his works and he shall comply with such requisition.

N. T. Bhutia
PCE-cum-Secretary

FORM A
FORM OF ORDER
(See Rule 9(6))

To

1. Whereas the installation was inspected on.....and whereas it appears to me that you have not complied with the rules made under sub-section (1) of section 162 of the Electricity Act 2003 and the regulations made under section 53 of the Act, in the following respect (particulars to be given where necessary) namely..... You are therefore hereby called upon to comply with the said rule(s)/regulations(s) on or before.....day of.....and to report compliance in writing to the undersigned.
2. An appeal maybe filed against this order under rule 14 of the aforesaid rules, within 3 (three) months of the date on which this order is served or delivered but this order must be complied with, notwithstanding such appeal, unless the appellate authority on or before the date specified in paragraph above, suspends its operation.

Dated at.....

The.....day of.....

Signature

Chief Electrical Inspector or
Electrical Inspector